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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 26th May, 1972/Jyaistha 5, 1894 (Saka)

The following Act of Parliament received the assent of the President on the 26th May, 1972 and is hereby published for general information:—

THE NEWSPAPERS (PRICE CONTROL ACT, 1972
NO. 15 OF 1972

[*26th May*, 1972]

An Act to provide for the control, in the interests of the general public of the prices of newspapers with a view to ensuring that newspapers continue to function, in the prevailing conditions, as effective mass communication media and for securing their availability at fair prices.

BE it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

1. (*1*) This Act may be called the Newspapers (Price Control) Act, 1972. Short title, extent and duration.

(*2*) It extends to the whole of India.

(*3*) It shall cease to have effect on the expiry of two years from the date of its commencement except as respects things done or omitted to be done before such cesser of operation of this Act and section 6 of the
10 of 1897. General Clauses Act, 1897, shall apply upon such cesser of operation of this Act as if it had then been repealed by a Central Act.

2. In this Act, unless the context otherwise requires,— Definitions.

(*a*) "basic price", in relation to a newspaper, means the price of the newspaper on the 22nd day of October, 1971 [being the date on
16 of 1971. which the Stamp and Excise Duties (Amendment) Ordinance, 1971, was promulgated] or if the newspaper was not published on that day, its price on the day on which it is first published after that day;

(*b*) "basic price date", in relation to a newspaper, means the date with reference to which its basic price is to be ascertained under clause (*a*);

(*c*) the expressions "newspaper", "owner" and "publisher" have the same meanings as in the Press and Registration of Books Act, 1867. 25 of 1867.

Power to fix maximum prices of newspapers.

3. (*1*) If the Central Government is of opinion that for the purpose of securing the availability of any newspapers or any class of newspapers at fair prices, it is necessary or expedient to do so, the Central Government may, from time to time, by order published in the Official Gazette, determine the maximum prices which may be charged for such newspapers or newspapers of such class as may be specified in the order.

(*2*) In making under sub-section (*1*) any order determining the maximum price which may be charged for any newspaper referred to in that sub-section, the Central Government shall have regard to—

(*a*) the basic price of the newspaper;

(*b*) the excise duties and other taxes, if any, payable in respect of the newspaper;

(*c*) any special circumstances arising on or after the basic price date of the newspaper and having a bearing on the cost of the production of newspapers; and

(*d*) all other relevant circumstances:

Provided that the maximum price determined in respect of a newspaper shall in no case be less than its basic price.

(*3*) No order shall be made under this section in respect of any news paper which is being sold at a price not exceeding its basic price.

(*4*) An order made under sub-section (*1*) may provide for different maximum prices in respect of different newspapers or different classes of newspapers or different newspapers in each such class and may provide for such incidental and supplemental matters (including the printing in a newspaper to which the order relates of the price thereof in a conspicuous manner) as the Central Government may deem fit.

Review and revision of orders.

4. (*1*) The owner or publisher of a newspaper to which an order under sub-section (*1*) of section 3 relates may,—

(*a*) if he is aggrieved by such order, make within thirty days of the date of publication of the order in the Official Gazette, an application to the Central Government for a review of the order setting out in such application the grounds on which he considers such review to be necessary;

(*b*) whenever fresh circumstances having a bearing on the cost of production of the newspaper arise after the date of making of the order, make an application for a revision of the order within thirty days after the date on which such circumstances have arisen,

and the Central Government may pass such order on the said application for review or revision as it thinks fit:

Provided that the Central Government may for sufficient cause allow any such application to be made after the expiry of the period of thirty days aforesaid.

(2) Save as otherwise provided by an order made under clause (*a*) or clause (*b*) of sub-section (*1*), the order of the Central Government under sub-section (*1*) of section 3 shall be final.

Power to call for information, return, etc.

5. (*1*) The Central Government or any officer authorised by the Central Government in this behalf may, by order in writing, require the owner or publisher of any newspaper to furnish, within such time as may be specified in the order any information, return or report which the Central Government or such officer may consider necessary for carrying out the purposes of this Act and such owner or publisher shall be bound to comply with such order.

(2) If any owner or publisher contravenes any order under sub-section (*1*), he shall be punishable with fine which may extend to five hundred rupees.

Prohibition of sale of newspapers in contravention of the order under section 3.

6. No newspaper shall be sold in the territories to which this Act extends in contravention of an order made under section 3.

Penalty.

7. Whoever sells or causes to be sold a newspaper in contravention of an order made under section 3 shall, on first conviction, be punishable with fine which may extend to one thousand rupees and, on any second or subsequent conviction, with fine which may extend to two thousand rupees.

Offences by companies.

8. (*1*) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (*1*), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(*a*) "company" means a body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

Previous sanction of Central Government for prosecution.

9. No prosecution shall be instituted against any person in respect of any offence punishable under section 5 or section 7 without the previous sanction of the Central Government or such officer or authority as may be authorised by that Government by order in writing in that behalf.

K. K. SUNDARAM,
Joint Secy. to the Govt. of India.

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